



Eric Gonzalez
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May 24, 2021



In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: HERBIERTO HERNANDEZ

MOS TAX: 932167

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. In addition to any information provided below, disciplinary information regarding this officer may exist online at the following websites: <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>, <https://nypdonline.org/link/13>, and <https://www.50-a.org>. The People make no representation regarding the accuracy of any information contained on these websites. Please note that disclosures regarding law enforcement witnesses may not include lawsuits pending against police witnesses inasmuch as this information is also publicly available through various means, including the N.Y.C. Law Department's website at: <https://www1.nyc.gov/site/law/public-resources/nyc-administrative-code-7-114.page>. The People reserve the right to object to the use or introduction of any or all disclosures provided below and any other similar information.

Disclosure # 1:

THE NYPD ORDERED A DISPOSITION OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM 09/10/2010 AGAINST MOS HERNANDEZ:

1. MOS HERNANDEZ USED PHYSICAL FORCE AGAINST A PERSON KNOWN TO THE DEPARTMENT WITHOUT HAVING POLICE NECESSITY TO DO SO, TO WIT MOS HIT PERSON KNOWN TO DEPARTMENT ON THE HEAD WITH AN ASP.

ACTION TAKEN: MOS FORFEITED FIVE (5) VACATION DAYS.

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/25/2020, AGAINST MOS HERNANDEZ: ALLEGATION(S):

1. FAIL TO PREPARE REPORT - STOP QUESTION FRISK REPORT

CASE STATUS: CLOSED ON 03/19/2020

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 03/13/2020, AGAINST MOS HERNANDEZ: ALLEGATION(S):

1. FAIL TO SAFEGUARD DEPARTMENT EQUIPMENT - ACTIVITY LOG
2. MISSING DEPARTMENT EQUIPMENT - ACTIVITY LOG
3. FAIL TO NOTIFY IN A TIMELY MANNER - IAB

CASE STATUS: CLOSED ON 03/25/2020

ACTION TAKEN: NO ACTION TAKEN

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/02/2021, AGAINST MOS HERNANDEZ:
ALLEGATION(S):

1. MISSING DEPARTMENT EQUIPMENT – RADIO
2. FAIL TO SAFEGUARD DEPT EQUIPMENT – RADIO

CASE STATUS: CLOSED ON 02/08/2021

ACTION TAKEN: B-CD ISSUED.

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH FEBRUARY 10, 2021, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 5:

CCRB CASE: 200907980

REPORT DATE: 05/22/2009

INCIDENT DATE: 05/12/2009

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE – NIGHTSTICK AS CLUB (INCL ASP & BATON)

NYPD DISPOSITION: GUILTY - DCT AND FORFEITURE OF FIVE (5) VACATION DAYS.

Disclosure # 6:

CCRB CASE: 201903480

REPORT DATE: 04/24/2019

INCIDENT DATE: 02/05/2019

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE – FAILURE TO PROVIDE RTKA CARD

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED – FAILURE TO PRODUCE STOP AND FRISK REPORT

Disclosure # 7: (PENDING)

CCRB CASE: 202006271

REPORT DATE: 09/15/2020

INCIDENT DATE: 08/30/2020

PENDING CCRB ALLEGATION(S):

1. FORCE – PHYSICAL FORCE
2. ABUSE – SEARCH (OF PERSON)
3. ABUSE – STRIP-SEARCHED
4. ABUSE – SEXUAL MISCONDUCT (SEXUALLY MOTIVATED STRIP-SEARCH)
5. ABUSE – PROPERTY DAMAGED

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